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9 Attorneys for Defendant
VERTICA SYSTEMS, INC.

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 (SAN FRANCISCO DIVISION)

15 SYBASE, INC., a Delaware corporation,

16 Plaintiff,

17 v.

18 VERTICA SYSTEMS, INC., a Delaware
corporation,

19 Defendant.

Case No. 09-CV-05647-MHP

**~~[PROPOSED]~~ ORDER RE VERTICA'S
MOTION TO TRANSFER VENUE TO
THE EASTERN DISTRICT OF TEXAS
PURSUANT TO 28 U.S.C. § 1404(A)**

~~Date: Monday, May 3, 2010~~

~~Time: 2:00 p.m.~~

~~Ctrm: 15, 18th Floor~~

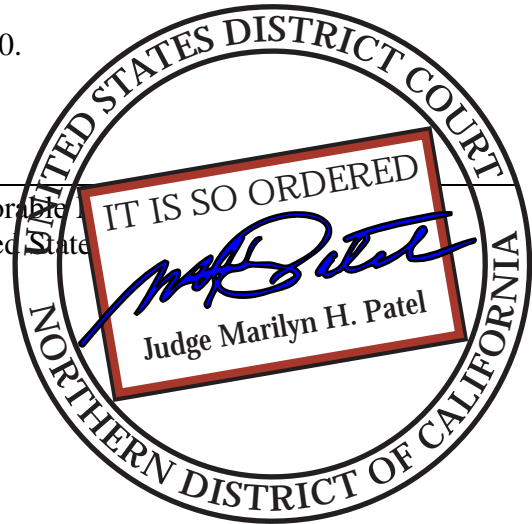
~~Judge: Hon. Marilyn H. Patel~~

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24 Defendant Vertica Systems, Inc. ("Vertica") having filed a Motion to Transfer Venue to the
25 Eastern District of Texas Pursuant to 28 U.S.C. § 1404 (A), the Court having carefully considered
26 the submissions of the parties and the relevant law and facts, IT IS HEREBY ORDERED that
27 Vertica's motion is GRANTED. **for the reasons set forth in the Statement of Reasons, made a
part of this Order at pages 3-5.**

1 Pursuant to 28 U.S.C. § 1404(a), this action shall be transferred to the Tyler Division of the
2 Eastern District of Texas, before which is pending the related matter of *Sybase, Inc. v. Vertica*
3 *Systems, Inc.*, Civil Action No. 6:08-cv-24[LED]. **The Clerk of Court shall transfer the file**
4 **forthwith.**

5 So **ORDERED** this 22nd day of April _____, 2010.

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8 Honorable
United States



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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on March 29, 2010, all counsel of record who are deemed to have consented to electronic service are being served with a copy of [PROPOSED] ORDER RE VERTICA’S MOTION TO TRANSFER VENUE TO THE EASTERN DISTRICT OF TEXAS PURSUANT TO 28 U.S.C. § 1404(A) via the Court’s CM/ECF system per Local Rule 5-4 and General Order 45. Any other counsel of record will be served by First Class Mail.

/s/ Tamara Fraizer
Tamara Fraizer

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